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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,868	10/24/2005	Takeshi Koda	8048-1105	2144
466 7590 YOUNG & THOMPSON 209 Madison Street Suite 500 Alexandria, VA 22314			EXAMINER ADEGEYE, OLUWASEUN	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 05/26/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

### Office Action Summary

**Application No.**

10/529,868

**Applicant(s)**

KODA ET AL.

**Examiner**

OLUWASEUN A. ADEGEYE

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04/01/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 23 is/are pending in the application.
- 4a) Of the above claim(s) 3 - 5, and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 2, 6 - 9 and 11 - 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/01/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-06)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 - 2, 6 - 9 and 11 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hisatomi et al (US 7,248,783 B2) in view of well known knowledge in the art.

As to **claim 1**, Hisatomi discloses an information record medium on which there are recorded: a object data file for storing, by a unit of packet (see column 6, lines 52 – 67), object data which includes

(a) main stream including video information to indicate a main-video (see column 7, lines 44 – 47 and column 14, lines 51 – 65)) and

(b) sub stream including a plurality of button information to indicate a plurality of buttons displayable at least partially over the main-video (see column 1, lines 41 – 45 and column 14, lines 51 – 65 ) and

at least one of the plurality of button information includes normal button information for displaying a normal state button, selected button information for displaying a selected state button, and activated button information for displaying an activated state button (see column 1, lines 41 – 45).

a play list information file for managing, by a unit of item, the object data; and

an object information file for indicating an address of the object data which is specified by the item.

Official notice is taken that a playlist information file and an object information file are well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added a playlist information file and object information file to the recording medium of Hisatomi to make it capable of easily effecting the searching and editing operations without making it necessary to create troublesome menu data.

As to **claim 2**, Hisatomi discloses the information record medium according to claim 1, wherein the button information defines an opaque video part in a rectangular area placed in the sub-stream sub video information, as the button video part (see column 1, lines 41 – 45).

As to **claim 6**, grounds for rejecting claim 1 apply to claim in its entirety.

As to **claim 7**, Hisatomi discloses the information record medium according to claim 6, wherein the main-video information, the sub-video information set, and the sub-video control information are divided into predetermined packet units and multiplexed, and further streamed respectively into a video stream composed of the divided main-video information, a sub-picture stream composed of the divided sub-video information set, and a control information stream composed of the divided sub-video control information (see column 14, lines 51 – 65) .

As to **claim 8**, Hisatomi discloses the information record medium according to claim 1, wherein the button information further defines a button command to be

executed if the button is operated (see column 1, lines 41 – 45).

As to **claim 9**, Hisatomi discloses the information record medium according to claim 6, wherein the button information further defines a button command to be executed if the button is operated (see column 1, lines 41 – 45).

As to **claim 11**, Hisatomi discloses the information record medium according to claim 6, wherein the highlight information defines which display aspect is used for highlight-display out of a predetermined types of display aspects set in advance, in accordance with in which button state a button displayed on the main-video is out of a predetermined types of button states set in advance, as how to perform the highlight display control (see column 14, lines 51 – 65).

As to **claims 12 – 23**, grounds for rejecting claim 1 applies to claims 12 – 23 in its entirety.

### ***Conclusion***

US 6,999,674 b1 discloses playlist and play items.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUWASEUN A. ADEGEYE whose telephone number is (571)270-1711. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621

05/20/2010

/O.A/